

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ZACHARY ALAN STARR,
Derivatively on behalf of the
MASSACHUSETTS INVESTORS
TRUST and the MASSACHUSETTS
INVESTORS GROWTH STOCK FUND,

v.

MASSACHUSETTS FINANCIAL
SERVICES COMPANY, ET AL.,

No. 03-12595-MEL

**STIPULATION AND ORDER TO EXTEND
TIME TO RESPOND TO COMPLAINT**

Plaintiff and defendants, by their undersigned counsel, hereby stipulate and agree that the time within which defendants may answer, move, or otherwise respond to the complaint in this action shall be governed by any scheduling order(s) imposed by the U.S. District Court for the District of Maryland in In re Mutual Funds Investment Litigation MDL 04-1586. In the event that the MDL Panel determines not to transfer this case to the District of Maryland to be part of MDL 04-1586, the time to answer, move, or otherwise respond to the Complaint shall be sixty (60) days after the filing date of the MDL Panel's decision relating to the requested transfer of this action.

On March 17, 2004, pursuant to Rule 7.5(e) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, defendants filed a notice identifying this case as a tag-along action to those already consolidated by the Judicial Panel in In re Mutual Funds Investment Litigation No. 04-1586. An order conditionally transferring this action to the District of

Maryland for consolidation with the cases already transferred is likely forthcoming. The parties, therefore, agree that the time by which defendants may answer, move, or otherwise respond to the complaint in this action will be governed by the scheduling order of the U.S. District Court for the District of Maryland, the transferee court.

Plaintiff and defendants respectfully request that the Court approve their stipulation.

Respectfully submitted, ZACHERY ALAN STARR, Derivatively on behalf of the Massachusetts Investors Trust and the Massachusetts Investors Growth Stock Fund,	Respectfully submitted, MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE ASSURANCE COMPANY OF CANADA – U.S. OPERATIONS HOLDINGS, INC., SUN LIFE FINANCIAL (U.S.) HOLDINGS, INC., SUN LIFE FINANCIAL (U.S.) INVESTMENTS LLC, SUN LIFE OF CANADA (U.S.) FINANCIAL SERVICES HOLDINGS, INC.
By their attorneys, DEUTSCH WILLIAMS BROOKS DERENSIS & HOLLAND, P.C. By: <u>/s/ Jonathan A. Shapiro / by permission</u> Steven J. Brooks Robert D. Hillman Deutsch Williams Brooks Derensis & Holland, P.C. 99 Summer Street Boston, MA 02110 (617) 951-2300	By their attorneys, HALE AND DORR LLP By: <u>/s/ Jonathan A. Shapiro /</u> Jeffrey B. Rudman (BBO #433380) William H. Paine (BBO #550506) Jonathan A. Shapiro (BBO #567838) Hale and Dorr LLP 60 State Street Boston, MA 02109 (617) 526-6000

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SO ORDERD:

Dated: _____

Joseph L. Tauro
United States District Judge